

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEVIN ROBERTS, )  
Plaintiff, )  
v. ) 2:12cv1296  
 ) Electronic Mail  
 )  
 ) Judge David Stewart Cercone  
 ) Magistrate Judge Maureen P. Kelly  
ALLEGHENY COUNTY, a Municipal )  
Corporation and Political Subdivision of )  
The Commonwealth of Pennsylvania; )  
RICH FITZGERALD, County Executive; )  
DANIEL SULLIVAN, Pittsburgh Police )  
Officer, )  
Defendants. )

MEMORANDUM ORDER

AND NOW, this 3<sup>rd</sup> day of ~~December~~, 2014, after the Plaintiff, Kevin Roberts, filed an action in the above-captioned case, and after Defendants Allegheny County and the Allegheny County Executive, filed a Motion to Dismiss, ECF No. 29, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until September 13, 2013, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss filed on behalf of Defendants Allegheny County and the Allegheny County Executive [ECF No. 29] is granted.

IT IS FURTHER ORDERED that the Court declines to exercise jurisdiction as to all remaining state law claims asserted against any Defendant and dismisses such claims without prejudice to be filed in state court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

*DS Cercone*

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DAVID STEWART CERCOME  
United States District Judge

cc: Honorable Maureen P. Kelly  
Robert Borgoyn, Esquire  
Bryan Campbell, Esquire

*(Via CM/ECF Electronic Mail)*

Kevin Roberts  
JV-6013  
SCI Pittsburgh  
P.O. Box 99991  
Pittsburgh, PA 15233

*(Via First Class Mail)*